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 Attorneys for Plaintiff, DONALD BOWMAN

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

DONALD BOWMAN,)	
)	
Plaintiff,)	Case No. 3:14-cv-00514-MMD-WGC
)	
vs.)	
)	
CAROLYN W. COLVIN,)	STIPULATION FOR THE AWARD OF
Acting Commissioner of Social Security,)	EQUAL ACCESS TO JUSTICE FEES
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to the Court's approval, that Plaintiff be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412(d), in the amount of Four Thousand and Five Hundred Dollars and No Cents (\$4,500.00). This amount represents compensation for all legal services rendered to Plaintiff by counsel in connection with this civil action, and is awarded in accordance with 28 U.S.C. §2412(d).

After the Court issues an order for EAJA fees and to Plaintiff, the government will consider the matter of Plaintiff's assignment of fees to his attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521(2010), the ability to honor the assignment will depend on whether the fees are

1 subject to any offset allowed under the United States Department of the Treasury's Offset
2 Program. After the order for EAJA fees is entered, the government will determine whether they
3 are subject to any offset.

4 Fees shall be made payable to Plaintiff, but if the Department of Treasury determines that
5 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees,
6 expenses to be made directly to Leonard Stone, Shook & Stone, Chtd., pursuant to the
7 assignment executed by Plaintiff.

8 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
9 attorney fees and expenses, and does not constitute an admission of liability on the part of the
10 Defendant under the EAJA. Payment of the agreed amount shall constitute a complete release
11 from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel may have relating to
12 EAJA attorney fees and expenses in connection with this action.

13 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
14 Act attorney fees under 42 U.S.C. §406(b), subject to the offset provisions of the EAJA.

15 Respectfully submitted,

16 Dated: October 24, 2016

SHOOK & STONE, CHTD.

17 BY: /s/ Nicole K. Steinhaus
18 Nicole K. Steinhaus, Esq.
Attorney for Plaintiff

19 Dated: October 24, 2016

DANIEL G. BOGDEN
United States Attorney

20 BY: /s/ Sharon Lahey
21 SHARON LAHEY

22 *By email authorization on October 24, 2016
Special Assistant United States Attorney
Attorneys for Defendant

**CERTIFICATE OF SERVICE
FOR CASE NUMBER 3:14-cv-00514-MMD-WGC**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for this court by using the CM/ECF system on October 24, 2016.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Nicole K. Steinhaus
Nicole K. Steinhaus, Esq.
Attorney for Plaintiff

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 Attorneys for Plaintiff, DONALD BOWMAN

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

DONALD BOWMAN,)
)
 Plaintiff,)
)
 vs.)
)
 CAROLYN W. COLVIN,)
 Acting Commissioner of Social Security,)
)
 Defendant.)
)

Case No. **3:14-cv-00514-MMD-WGC**

**PROPOSED ORDER FOR THE
 AWARD OF EQUAL ACCESS TO
 JUSTICE FEES**

Based upon the parties' Stipulation for the Award of Equal Access to Justice Fees ("Stipulation"), IT IS ORDERED that Plaintiff shall be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C §2412(d), in the amount of Four Thousand and Five Hundred Dollars and No Cents (\$4,500.00), subject to the terms of the Stipulation. Under the terms of the Stipulation, payment may be delivered to Plaintiff's counsel.

Dated: October 27, 2016



HON. MIRANDA M. DU
 UNITED STATES MAGISTRATE JUDGE